IN THE DRAWINGS

Submitted herewith in are Substitute Sheets of the Drawings wherein numbers have been added to reflect elements of the invention that where described and shown but not numbered in the Drawings as filed. As elements such as the side walls 18 and 19 and the first and second reservoirs 12 and 12' are claimed, it is believed the number addition is necessary. Further, number 14 has been used to describe both partitions in Figs. 9 and 10. These partitions have been renumbered as 14'and 14'' for clarity.

REMARKS/ARGUMENTS

Amendments

Claims 1 to 9 remain in this application. Claims 10 and 11 to 18 are new.

Claim 1 is amended by specifying that the liquid container means has a first side wall and a second side wall. A first partition means extends from the first side wall and terminates at a first free edge region, while a second partition means extends from a second side wall. The free edge region of the first partition means is spaced from the second partition means to form an opening therebetween. The first and second partitions and first and second side walls form a first chamber therebetween, which is located beneath the first partition means when the liquid container means is in a vertical position. The second partition means is arranged to direct a free end of said suction tube from said spray dispensing means through the opening and into said first chamber, so that the free end of the suction tube lies beneath the first partition means when the liquid container means is in a vertical position. Claim 1 further specifies that when said container means is

moved from a vertical position to a horizontal position, fluid is retained in fluid communication with the first partition in the first chamber and the free end of the suction tube is in fluid communication with the fluid in the first chamber.

Claim 2 specifies that the first partition means is substantially parallel to a horizontal axis when the bottle is in the vertical position.

Claim 3 specifies that the one of the partition means is at an angle between a vertical axis and the horizontal axes.

Claim 5 specifies that the pair of partition means extend inwardly from opposed respective side walls of said bottle

Claim 10 specifies that the liquid container means has a vertical axis, a horizontal axis and a neck portion adapted to releasably receive and retain the spray dispensing means. The liquid container means has a first side wall and a second side wall. A first partition means extends from the first side wall and terminates at a first free edge region, while a second partition extends from a second side wall. The free edge region of the first partition

means is spaced from the second partition means to form an opening therebetween. The first and second partitions and first and second side walls respectively form first and second chambers, in which the first chamber is located beneath the first partition means when the liquid container means is in a vertical position and the second chamber is located beneath the second partition when the liquid container means is in a vertical position. The suction tube has a free end which is arranged to extend from said spray dispensing means through the opening and into the first or second chambers, so that the free end of the suction tube lies beneath the corresponding first or second partition when the liquid container means is in a vertical position.

Thus, as specified in claim 10, when said container means is moved from a vertical position to a horizontal position, fluid is retained in fluid communication with the first partition means in the first chamber or the second partition means in the second chamber and the free end of the suction tube is in fluid communication with the fluid in the first chamber or the second chamber.

Claim 11 specifies that the liquid container means further comprising a neck portion adapted to releasably receive and retain the liquid spray dispensing means. The liquid spray dispenser is rotatably attached to said neck portion and the first or second partition means cooperates with the rotatably attached liquid spray dispensing means to select the location of the free end of said suction tube to the first chamber or to the second chamber.

Rejection under 35 U.S.C. 102(b)

Mayfield (6,059,152)

The Examiner has rejected claims 1-7 and 9 under 35 U.S.C. §102(b) as being anticipated by Mayfield. According to the Examiner Mayfield shows a trigger spray container with integral straw guide having an asymmetrically shape container 42 formed by blow molding, see column 4, lines 8-13, with neck portion 30, a spray dispensing means 12, a flexible suction tube 14, a pair of partition walls substantially parallel about a horizontal axis dividing the container into two chambers, one of the chambers retaining fluid when the container is moved from a vertical to a horizontal position. The applicant respectfully traverses the Examiners rejection.

Mayfield's container has a partition wall which functions as an internal straw guide to direct the straw tip 18 of straw 14 to intended base corner 20 of lower containment body 42. Mayfield does teach the use of a liquid container means having a first side wall and a second side wall, which together with first and second partition means form an opening therebetween, wherein the first and second partitions and first and second side walls form a first chamber therebetween, which is located beneath the first partition means when the liquid container means is in a vertical position, nor a second partition means is arranged to direct a free end of said suction tube from said spray dispensing means through the opening and into said first chamber, so that the free end of the suction tube lies beneath the first partition means when the liquid container means is in a vertical position

In view of the above arguments, the Applicant submits that the claims pending herein are novel and respectfully requests removal of the Examiner's rejection.

Rejection under 35 U.S.C. 103

Mayfield (6,059,152)

Examiner has rejected claim 8 under 35 U.S.C. §103 as being unpatentable over US 6,059,152 to Mayfield. According to the Examiner, the shape of the container presents no novel or unexpected result over the shape of the container used in the reference. Use of any specific container in lieu of those used in references solves no stated problem and would be an obvious matter of design choice within the skill of the art.

Mayfield teaches the use of a partition wall which functions as an internal straw guide to direct the straw tip 18 of straw 14 to the base corner 20 of lower containment body 42. Applicant believes that Mayfield, at best, offers no motivation whatsoever to use his guide 16 to guide his straw tip to the region beneath his straw guide. In fact, expressly teaches away from this by instructing that the ramp of the integral straw guide be positioned to receive the straw and guide the tip of the straw to the base corner so that said straw tip will remain submersed in liquid even when said container is inverted or rotated towards a horizontal plain. (see claim 2).

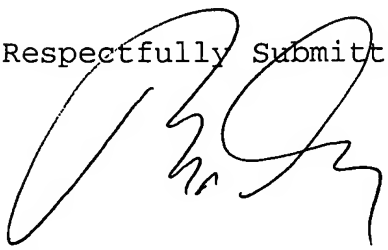
By contrast, the present invention makes use of first and second partition means which cooperate with first and second side walls. The first and second partition means

form an opening therebetween, wherein the first and second partitions and first and second side walls form a first chamber therebetween, which is located beneath the first partition means when the liquid container means is in a vertical position, and the second partition means is arranged to direct a free end of said suction tube from said spray dispensing means through the opening and into said first chamber, so that the free end of the suction tube lies beneath the first partition means when the liquid container means is in a vertical position.

Applicant submits that modifying Mayfield to add the second partition means in a manner to form an opening between the first and second partition means would require the complete disregard of the teachings of Mayfield toward the use of his straw guide to deliver his straw to his base corner. Mayfield is very clearly contemplating no additional function of his straw guide 16 beyond the singular purpose of deflecting the straw. The use of any further partition means would only complicate the fluid flow through his container and offer no additional benefit.

It is therefore believed that the application is in order for allowance and action to that end is respectfully requested.

Respectfully Submitted,



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Date: October 17, 2005

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